

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

KTECHNOLOGY CORPORATION, :  
 :  
 Plaintiff, :  
 :  
 v. : Civil Action No. 05-601-JJF  
 :  
 METAL MATRIX CAST :  
 COMPOSITES LLC., :  
 :  
 Defendant. :

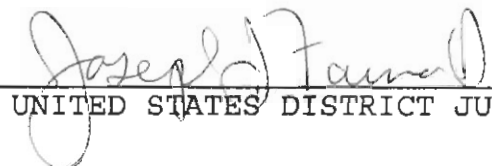
O R D E R

WHEREAS, Plaintiff has failed to serve Defendant, Metal Matrix Cast Composites LLC, who is named as Defendant in Plaintiff's Complaint (D.I. 1);

WHEREAS, pursuant to Rule 4(m) of the Rules of Civil Procedure, "if service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant . . ."

WHEREAS, more than 120 days have elapsed since the filing of Plaintiff's Complaint;

NOW THEREFORE, IT IS HEREBY ORDERED this 12 day of January 2006, that Plaintiff show cause within twenty (20) days of the date of this Order why the Court should not dismiss this action for failure to prosecute.

  
UNITED STATES DISTRICT JUDGE